



entity, to have new counsel enter an appearance on its behalf no later than August 11, 2008, as a corporate entity cannot represent itself under applicable law. The Order also provided that, if counsel failed to enter an appearance on behalf of Seaspeed by August 11, 2008, this Court would ask the District Court to strike Seaspeed's Answer and enter default against it. The parties were directed to appear for a status conference on August 12, 2008. Only plaintiff's counsel appeared at the conference. No party or counsel appeared on behalf of Seaspeed.

Pursuant to settled Third Circuit law, corporations cannot represent themselves pro se. See Simbraw v. United States, 367 F.2d 373, 374 (3d Cir. 1966). Therefore, I recommend that the District Court strike the Answer of corporate defendant, Seaspeed Overseas Shipping Co., Inc. (Docket Entry No. 6), and that plaintiff be allowed to proceed to judgment by default as to defendant Seaspeed overseas Shipping Co., Inc. and enter default against it. The parties have ten (10) days from the date hereof to file and serve objections.

Respectfully submitted,

s/Madeline Cox Arleo

MADELINE COX ARLEO

United States Magistrate Judge

Dated: October 8, 2008

Orig.: Clerk of the Court

cc: Hon. Joseph A. Greenaway, Jr., U.S.D.J.

All Parties

File